

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELAGOON BUSINESS SOLUTIONS PVT
LTD., d/b/a Computer Phone Assist,

Defendant.

No. 2:19-cv-00324-RSL

ORDER AUTHORIZING SERVICE OF
THE SUMMONS AND COMPLAINT
BY NEWSPAPER PUBLICATION

This matter comes before the Court upon United States' Response to Order to Show Cause and Motion for an Order Authorizing Service of the Summons and Complaint by Newspaper Publication (the "Motion"). Upon consideration of the Motion, the Second Certification and Declaration of Daniel K. Crane-Hirsch in support thereof, and the entire record in this case, the Court finds that:

The United States has taken adequate steps to attempt service pursuant to the Hague Service Convention under Federal Rule of Civil Procedure 4(f)(1).

1 The United States has waited a sufficiently long amount of time as to have a reasonable
2 belief that service of process through the Indian Central Authority, pursuant to Articles 2-5 of
3 the Hague Service Convention, will not be effected in a timely manner.

4 The United States has fully complied with the requirements for service as specified by
5 India pursuant to the Hague Service Convention and the United States has complied with the
6 requirements of Article 15(2) such that, subject to relevant due process considerations under the
7 United States Constitution, a United States judge could enter default judgment against
8 Defendant Elagoon.

9 The United States has taken reasonable steps to confirm that Defendant Elagoon is
10 located in Kolkata, India, and to verify that Defendant conducts business in the English
11 language.

12 Pursuant to Rule 4(f)(3) of the Federal Rules of Civil Procedure, the United States has
13 taken reasonable steps to identify alternative means of service via the two prominent English-
14 language newspaper publications in Kolkata, India.

15 **THEREFORE, IT IS HEREBY ORDERED** that, pursuant to Rule 4(f)(3) of the
16 Federal Rules of Civil Procedure, the United States' Motion for an Order Authorizing Service
17 of the Summons and Complaint by Newspaper Publication is **GRANTED**.

18 **IT IS HEREBY FURTHER ORDERED** that the United States shall effect service of
19 process of the Complaint (Dkt. 1) and Summons (Dkt.1-2) in this matter via publication of a printed
20 advertisement of the aforementioned documents in *The Telegraph* and *The Statesman*, no less than
21 once a week for at least four continuous weeks.

22 **IT IS FURTHER ORDERED** that, upon a showing by the United States of the
23 aforementioned publications in *The Telegraph* and *The Statesman* for four continuous weeks,

Defendant will be considered to have been effected of constructive process of the Complaint and
Summons in this matter.

DONE AND ORDERED in Chambers at Seattle this 23rd day of March, 2020.



HONORABLE ROBERT S. LASNIK
United States District Judge

Presented by:

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Director
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BRIAN T. MORAN
United States Attorney

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